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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/973,356	10/09/2001	Carolyn Christine Ramsey-Catan	US 010513	5269

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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BRIARCLIFF MANOR, NY 10510

EXAMINER

HAQ, NAEEM U

ART UNIT	PAPER NUMBER
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3625

DATE MAILED: 04/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/973,356

Applicant(s)

RAMSEY-CATAN, CAROLYN
CHRISTINE

Examiner

Naeem Haq

Art Unit

3625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 December 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 5-7 and 12-20 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4 and 11 is/are allowed.
- 6) ☒ Claim(s) 1-3 and 8-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

Election/Restrictions

This action is in response to the Applicant's election of Group I (claims 1-14) and the election of species 2-4 and 9-11 within Group I without traverse. Therefore claims 1-4 and 8-11 are currently pending and will be considered for examination. All other claims are hereby withdrawn from consideration.

Allowable Subject Matter

Claims 4 and 11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The prior art does not teach determining whether another user will permit a portion of the remote transaction amount to be allocated against a remaining balance for the current period for the other user.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3 and 8-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Headings et al. (US 2002/0143647 A1) hereinafter referred to as Headings.

Referring to claims 1 and 8, Headings teaches a system for monitoring and controlling remote purchases comprising: a home access device selectively coupled to at least one communication system (Figure 1, items "16" and "17"; paragraph [0014]); a remote purchase controller controlling remote purchases over the at least one communications network involving the home access device (Figure 1, items "12" and "14"; paragraph [0014]), the remote purchase controller: responsive to detecting an attempt to execute a remote purchase transaction, determining whether the remote purchase transaction should be completed based upon a remote purchase limit (paragraphs [0019], [0022], and [0023]). Headings does not explicitly teach holding the transaction for processing after determining that the transaction should not be completed. However, Headings teaches that the HoH can establish permissions such as spending limits for sub-accounts (paragraphs [0004], [0019], [0022]). Furthermore, Headings teaches suspending a transaction if a debit cannot be posted to a second account (claim 6). Therefore it would have been obvious to one of ordinary skill in the

Art Unit: 3625

art, at the time the invention was made, to suspend a transaction for subsequent processing in the event a permission was violated in the invention of Headings. One of ordinary skill in the art would have been motivated to do so in order to enforce the permissions set by the HoH.

Referring to claims 2 and 9, Headings teaches determines whether the remote purchase transaction involves an amount exceeding a remaining available balance of the remote purchase limit for a current period ([0019], [0022], and [0023]).

Referring to claims 3 and 10, Headings teaches identifying which of a plurality of authorized users associated with an account to be employed in the remote purchase transaction is attempting to execute the remote purchase transaction and ascertains the remaining available balance of the remote purchase limit for the identified user for the current period (paragraphs [0013], [0019], [0022], and [0023]). Headings teaches supporting multiple users with permissions such as monthly spending limits and accessing a users account during a transaction to determine if a permission will be violated by the transaction.

Conclusion

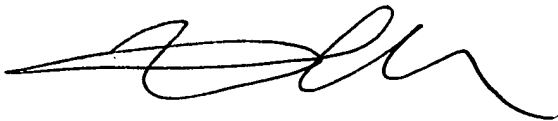
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naeem Haq whose telephone number is (703)-305-3930. The examiner can normally be reached on M-F 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn W. Coggins can be reached on (703)-308-1344. The fax phone

Art Unit: 3625

number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Naeem Haq, Patent Examiner
Art Unit 3625

March 31, 2005

